

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:14-cv-00227-MR-DLH**

WILLIAM H. ROGERS,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
CYNTHIA G. DELLWO, et al.,)	
)	
Defendants.)	
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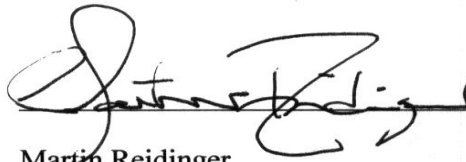
THIS MATTER is before the Court on the Plaintiff's "Motion to Vacate or Set-Aside 'Sou Sponte' [sic] Dismissal" [Doc. 5].

The Plaintiff moves for reconsideration of the Court's Order dismissing his case without prejudice for lack of subject matter jurisdiction. [Doc. 5]. Upon review of the Plaintiff's Motion, and for the reasons stated in the Court's prior Order [Doc. 3], the Plaintiff's Motion is denied. The Court's prior Order was – as it had to be – based on the Plaintiff's Complaint. The Plaintiff now seeks to re-cast that Complaint with a lengthy explanation of what he had really intended to present. He cannot now amend his pleadings, however, as this case has been dismissed. While

the Plaintiff may have intended to file something materially different from his Complaint, such claims are simply not before this Court.

IT IS, THEREFORE, ORDERED that the Plaintiff's "Motion to Vacate or Set-Aside 'Sou Sponte' [sic] Dismissal" [Doc. 5] is **DENIED**.

IT IS SO ORDERED.


Martin Reidinger
United States District Judge

